

REMARKS

In response to the Notice of Non-Compliant Appeal Brief dated June 11, 2009, Appellants have amended the Status of Claims to identify Claims 2, 5, 7, 9, 12-13, 15 and 17-22 as being canceled previously. As per the Examiner's note in the Notice, a new Appeal Brief is not submitted. Instead, a revised Status of Claims section is attached as Exhibit A.

Appellants submit that the present Appeal Brief is compliant under 37 CFR 41.37. Appellants respectfully request reconsideration of the Appeal Brief and submit that the Patent Office has failed to establish anticipation and a *prima facie* case of obviousness with respect to the rejection of the claimed invention. Accordingly, Appellants respectfully submit that the anticipation and obviousness rejection is erroneous in law and in fact and should therefore be reversed.

The Director is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 115808-365 on the account statement.

Respectfully submitted,

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BY

  
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Exhibit A

**III. STATUS OF CLAIMS**

Claims 1, 3, 4, 6, 8, 10, 11, 14, 16 and 23-64 are pending in the above-identified patent application. Claims 2, 5, 7, 9, 12-13, 15 and 17-22 were previously canceled. Claims 23-62 were previously withdrawn. Claims 1, 3, 4, 6, 8, 10, 11, 14, 16, 63 and 64 stand rejected. Though Claim 14 stands rejected, the Examiner has not specifically addressed Claim 14 in any of the current rejections. Therefore, Claims 1, 3, 4, 6, 8, 10, 11, 14, 16, 63 and 64 are being appealed in this Brief. A copy of the appealed claims is included in the Claims Appendix.